

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
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## **EXECUTIVE SESSION**

The Council met from 6:45 p.m. to 7:30 p.m. for Executive Session at Wind Gap Borough Hall.

The Council meeting of the Borough of Wind Gap on Tuesday, April 19, 2011, was called to order at 7:30 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: John Maher, Dave Hess, Kerry Gassler, George Hinton, Joe Weaver and Tony Curcio. Also in attendance were Mayor James M. Shoemaker, Borough Solicitor, Ronold J. Karasek and Borough Administrator Louise Firestone.

Council President, Scott Parsons informed those present that Council met in Executive Session this evening from 6:45 p.m. to 7:30 p.m. to discuss real estate matters and personnel issues.

**On motion** by John Maher that in matters related to Borough personnel, Borough Council must give approval prior to any action or services rendered by the Borough Solicitor and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

## **PUBLIC COMMENT**

No one appeared before Council at this time.

## **APPROVAL OF MINUTES**

**On motion** by Tony Curcio to approve the minutes of February 15, 2011 and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

**On motion** by John Maher to approve the minutes of March 7, 2011 and seconded by Tony Curcio. Prior to the vote being taken, Kerry asked for a correction to be made in the minutes, under New Business, Dave Hess made a motion to pursue interest with a Regional Police Department and send a letter, and that motion is not in the minutes so that needs to be changed. That correction to be made on page 3 of the March 7, 2011. **Motion amended** by John Maher and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

**On motion** by Kerry Gassler to approve the minutes of March 22, 2011 and seconded by Dave Hess. Roll call vote taken. In favor: G. Hinton, J. Maher, S. Parsons, T. Curcio, K. Gassler, D. Hess. Abstained: J. Weaver. Motion carried with a vote of 6-0-1.

**On motion** by Kerry Gassler to approve the minutes of April 4, 2011 and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

## **COMMITTEE REPORTS**

1. EMS – Kerry Gassler reported that the Ambulance Corps responded to 53 calls in the month of March. Kerry stated that he spoke to Wayne Butler and Eric about fixing the gutters, but it has been two months. George will ask the street workers to look at the roof of the Ambulance building.

Kerry asked if the spring on the door was fixed. George replied that since John did not get back to him, he assumed that it was fixed.

2. Fire Co. – Dave Hess reported that the Fire Company responded to 11 calls in March, 4 fire alarms, 3 accidents, 1 wire fire, 1 tree down, 1 fire police and 1 flooded apartment. Dave asked if the old fire company car is still insured under the Borough's insurance policy. Louise replied that it is still insured. The Fire Company intends on fixing it and using the car until it stops running again. The Ladies' Auxiliary is going to start raising funds for a new social hall, where ever that may be. They would like to have a large thermometer out front to mark how much money they have raised with a goal of \$750,000. Dave asked the Zoning Officer for a permit to complete and hopefully the fee will be waived.

3. Zoning – Tony Curcio reported that at the last Zoning meeting, the meeting went into session, but then the attorneys agreed to an annual permit fee of \$200 for the billboards. The fee covers would cover the Borough Engineer inspecting the billboard to verify that the structure is still sound. The Zoning Hearing Board will not meet in May because no new applications have been submitted.

4. Planning - Scott Parsons reported that the Planning Commission met and heard from Nolan Perin regarding the RPM Recycling Center. That plan will be presented at the next Council meeting.

5. Municipal Authority – John Maher reported that he attended their regular March 23, 2011 meeting. At that meeting the Authority awarded contracts for F Alley and Alpha Road to Passarini and Sons and Muschlitz. Their engineer reviewed how the bid specifications were advertised and found that the projects were broken down into three sections so if the contracts were awarded individually, they could save approximately \$3,000. A special meeting was held on April 7, 2011 to withdraw the original motion to award the contracts and then they Authority awarded all three segments individually.

John was asked about the money that was owed by the Authority to the Borough at their special meeting. John has been exchanging e-mails with Bob Hahn and now it has been clarified that the Authority is requesting that an invoice be sent for the \$4,400 that is owed to the Borough. Louise has forwarded a copy of the invoice to the Authority for payment.

John reported that a meeting was held last week with George Hinton, John and the Municipal Authority to walk down F Alley which is scheduled to be restored. Currently according to their bid specs, the Authority only requires that the alley be restored with stone and not re-paving the alley. The Borough representatives informed the Authority representatives that the alley needs to be re-paved and they said that they would not have it paved. They did however; agree to take this information back to their next Authority meeting. George suggests that the Borough Engineer calculate a quantity estimate and demand payment before they open the alley to do the work. The Borough will hold the money in escrow, if they don't want to restore the Borough streets and alleys to standards, then the Borough will fix it. The Borough should give the Authority an opportunity to discuss the re-paving of the alley and if they vote to not re-pave it, then John can hand them a copy of the Borough's request.

**On motion** by Kerry Gassler to have the engineer calculate the quantities and cost to pave up to Borough standards and get escrow money from them prior to digging so if the Authority does not pave the alley the funds are available for the Borough to have the work done and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

**On motion** by George Hinton to have the Municipal Authority apply for all permits that are required to do work in the Borough, with the understanding that the zoning fees will be waived and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

6. Streets – George Hinton reported that the street sweeper is out already, although he was hoping that the Borough would wait until May. If anyone has concerns about the sweeper, let George know immediately.

The trees on Third Street have become an issue. He has received a bid to take down trees and grind the stumps. There are a total of nine trees to be removed.

**On motion** by Kerry Gassler to approve the removal of the trees, chipping and grinding stumps and clean up at the intersection of Third Street and Lehigh Avenue at a cost of \$3,900 by Charlie Nansteel Landscaping Contractor and seconded by George Hinton. Roll call vote taken. In favor: T. Curcio, K. Gassler, D. Hess, G. Hinton, J. Maher, S. Parsons. Abstained: J. Weaver. Motion carried with a vote of 6-0-1.

Tony asked George if the signs for the jake brakes have been ordered yet. George apologized that he has not ordered them. Ron suggested that the Borough get approval from the State prior to installing the signs. Ron is not sure if the fine is based on the noise and the decibel level or if the fine is for just using a jake brake in a restricted area. He suggested contacting Moore Township to find out how they handled the jake brake issue. In order to enforce the jake brake restrictions, it may be necessary to enact an ordinance.

**On motion** by John Maher to send a letter to the State asking permission to install signs in the Borough for jake brakes and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

George reported that last Friday night he was notified that one of the uprights and backboard at the Park hit the turf. He made sure no one was hurt and asked the kids what happened. They told him that it just fell. The good news is the poles and backboards are being replaced.

7. Police – Mayor Shoemaker reported that the Police Department responded to 146 calls for the month of March, 5 animal complaints, 6 motor vehicle accidents investigated and issued 7 traffic citations. All officers attended State mandatory in-service training at the Allentown Police Academy. Kerry asked if Officer Redmond is working yet. The Mayor replied that he has to be first-aid certified and he needs new uniforms. Chief Armitage added that Officer Redmond has been measured for new uniforms. Kerry asked if the towing system is in effect yet? Chief Armitage replied that it will be in effect May first. George asked if the police could park their vehicle and get out and walk around the park and the ballfields because the graffiti has already started.

8. Park – Joe Weaver reported that the Park Board met last Tuesday and did discuss the vandalism at the Park. The Park Board asked that the police patrol on foot if possible. One of the bathrooms had the shingles ripped off. The bathroom needs the roof repaired and they would like to replace the shingles with a tin roof. John Zucal got an estimate of a little under \$800.

**On motion** by Joe Weaver to replace the roof on the old bathroom with tin for under \$800 in the Park and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

**On motion** by Kerry Gassler to purchase a used tent from Action Rental for up to \$450 (20' X 20') or any other tent for up to \$450 and seconded by Joe Weaver. Roll call vote taken. Motion carried unanimously.

Joe reported that the Park Board discussed giving consideration to the Summer Sounds Concert series when renting out the pavilions during the summer. The concerts are on Sundays from 6:00 p.m. – 8:00 p.m. George suggested that potential renters of the pavilions should be made aware of the concerts and they could decide if they want to stay and hear that particular band. Louise added that the e-mail received from the Park Board stated that the two small pavilions were not to be rented so they were marked on the master calendar not available for rental. There are family gatherings/reunions who specifically rent the pavilion when there is a concert because they enjoy having their party with "free" entertainment. Joe will take this information back to the Park Board.

The Park volunteer clean-up day is set for Saturday May 7, 2011 starting at 9:00 a.m. to spread mulch and plant some trees/flowers. He expects the expenses for mulch and trees to be from \$500 to \$1,000.

The Park Board unanimously approved the beer and clam tent for the Firemen's Carnival.

George asked if Joe could discuss with the Park Board about the cameras in the Park, whether they need repaired, moved or whatever to make them effective in deterring the vandalism.

9. 911 – Tony Curcio had nothing to report.

10. Tipping Fees - Tony Curcio reported that the Borough received \$24,323.56. He had provided Council with a copy of the distribution of the funds. He will be getting together with Louise on reconciling the Capital Reserve accounts. Council already approved using tipping fees from administration for the new Police computer server. He will provide Council with an updated report once he has all the accounts balanced and has removed old projects that have been completed.

11. Property Maintenance Code – Scott Parsons reported that he will contact Brian because he is waiting for a meeting to be set up with Bangor's code official.

12. Building Finance Committee – Scott Parsons reported that they met with the real estate agent and that was already discussed.

## **MAYOR'S REPORT**

Mayor Shoemaker reported that the Slate Belt COG had a ribbon cutting and grand opening on March 24, 2011 for their new office. Congressman Charlie Dent was in attendance along with other local politicians and many citizens. The next Slate Belt COG meeting will be held on April 27, 2011 at 7:00 p.m. at the new COG office. He has received many complaints about the potholes in the streets. The street workers are busy filling the potholes and hopefully some roads will be resurfaced with grant money this year. The Easter Egg Hunt will be held at the Wind Gap Park on Saturday, April 23, 2011 at 12:00 p.m. for children under the age of ten, rain or shine. The Police Department will implement the towing rotation program beginning May 1, 2011 on a weekly basis. Mayor Shoemaker spoke to the Legion Commander regarding the monument and who is responsible for the monument. There is a monument for the WWI and WWII veterans, but there is no more room for any other names. He suggested that the Borough purchased a separate small stone for him. Discussion whether the Borough can donate the money from Derek's mother to the American Legion and allow them to spend it at their discretion. The money was given to the Borough with the intent that a memorial would be erected in Derek's memory. The Mayor will further investigate the options for the memorial.

## **NEW BUSINESS**

There was no new business before Council at this time.

## **OLD BUSINESS**

1. Proposed Street Opening Ordinance 474. Ron Karasek reported that he drafted a street opening ordinance and forwarded a copy to Brian Pysher for his review. Ron asked Council to review the draft ordinance for their comments. John Maher stated that he has some suggestions for the fee schedule including a deposit for escrow specifically for street restoration that would be refundable. Scott appointed a committee of John Maher and Kerry Gassler. The Borough Engineer should be designated as the inspector. Council to further discuss this issue at the next meeting.

2. Animal Control Officer Ordinance Approval and Advertisement. Ron Karasek reported that the Borough appointed an animal control officer last year as an at-will employee, which means if Council wishes they do not have to appoint the animal control officer for another year. If Council is satisfied and content with the ordinance, it could be advertised and adopted at the May 17, 2011 Council meeting. He prepared a resolution which appoints Phillip Bell as the Animal Control Officer, but the Borough needs to fill in the amount being paid to Mr. Bell.

**On motion** by George Hinton to advertise the Animal Control Officer Ordinance and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

3. Office Staff 2011 Salary Rate.

**On motion** by Kerry Gassler to table this topic until further information is obtained regarding insurance costs or benefits and co-pays and seconded by John Maher. Roll call vote taken. In favor: S. Parsons, J. Weaver, T. Curcio, K. Gassler, D. Hess, J. Maher. Opposed: G. Hinton. Motion carried with a vote of 6-1.

4. Kerry Gassler asked if the bus shelters were ever received by the Borough. Louise replied that they have been received. Kerry stated that the Borough have the engineer get started on this project for the bus shelters within the next 90 days or have the work put out to bid. Louise stated that there is a potential issue with handicap accessibility on the sidewalks. If a bus shelter is put down at the new park, there is the possibility that the curb will have to be cut out so a wheelchair could go from the sidewalk down to street level to get on the bus, which may also be a concern at Kerry's property. The Borough Engineer, Brian Pysher, is aware and there may not be enough slope to get from the shelter across the sidewalk. Louise has made contact with PennDOT and Lanta to set up a meeting so that they can conduct a site visit and give the Borough direction.

5. Funeral Condolences Guideline. Scott Parsons asked if Council had any recommendations regarding the outline of the guidelines for condolences. Discussion regarding attaching a dollar amount to the guideline. Council will use discretion regarding condolences.

**On motion** by Tony Curcio to adjourn the meeting of April 19, 2011 and seconded by John Maher. Council agreed unanimously.

The meeting of April 19, 2011 adjourned at 8:46 p.m.

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Louise Firestone, Borough Administrator